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8       **UNITED STATES DISTRICT COURT**  
9                   **EASTERN DISTRICT OF CALIFORNIA**

10       CANDICE EVE MIZA,

11                   Plaintiff,

12               v.

13       COMMISSIONER OF SOCIAL SECURITY,

14                   Defendant.

15                   Case No. 1:21-cv-00315-SAB

16                   **ORDER RE: STIPULATED MOTION TO**  
17                   **MODIFY SCHEDULING ORDER**

18                   (ECF Nos. 5, 19, 21, 22)

19       On May 10, 2022, the parties submitted a stipulated request for an extension of time,  
20       which the Court construes as a stipulated motion to modify the scheduling order. (ECF No. 22.)  
21       The parties seek a three-day extension of time to file Plaintiff's opening brief from May 10,  
22       2022, to May 13, 2022. This is Plaintiff's third request for an extension of time to file the  
23       opening brief. Counsel proffers she requires additional time because she recently returned to  
24       California after being out of the state for several months due to her father's current health issues  
25       and is catching up on past due assignments as well as striving to ensure the timely submission of  
26       briefing assignments currently on calendar. (*Id.* at 1-2.) The Court is satisfied that good cause  
27       exists to grant the requested extension. However, the parties are reminded that requests to  
28       modify the briefing schedule that are made on the eve of a deadline or thereafter will be looked  
     upon with disfavor and may be denied absent a showing of good cause for the delay in seeking  
     an extension.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The parties' stipulated motion to modify the schedule (ECF No. 22) is  
3 GRANTED;

4 2. Plaintiff shall have until **May 13, 2022**, to file the opening brief; and

5 3. All remaining deadlines as set forth in the scheduling order (ECF No. 5), as  
6 amended (see ECF Nos. 19, 21) shall be modified accordingly.

7 IT IS SO ORDERED.

8 Dated: May 11, 2022

  
UNITED STATES MAGISTRATE JUDGE